

Application No. 10/084,606
Amendment dated August 25, 2003
Reply to Office Action of June 3, 2003

REMARKS/ARGUMENT

The Office Action maintains the rejection of claim 1 under 35 U.S.C. § 112, first paragraph, based on the ground that the Specification allegedly does not provide a full and complete botanical description and the characteristics which distinguish the claimed plant over related known varieties.

Without acquiescing to this rejection, the Specification has been amended to address the issues raised by the Examiner. The detailed characteristics of the plant added in the present Amendment represent properties of the plant as of the filing date and thus do not constitute the addition of new matter.

The issues raised in the Office Action have been carefully reviewed and specific botanical characteristics that are available have been added in the present Amendment. Applicants point out that the average locule number (item H in the Office Action) has been provided in the previous Amendment submitted on April 14, 2003 (see line 5 on page 7). Applicants assert that the Specification with the entry of this Amendment is more than sufficient for distinguishing the new variety from other known varieties.

Based on the foregoing, withdrawal of the rejection under 35 U.S.C. § 112, is respectfully requested.

Conclusion:

In view of the foregoing remarks and amendments, this case is considered to be in condition for allowance and passage to issuance is respectfully requested.

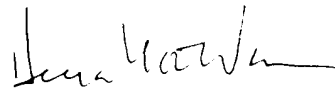
If there are any outstanding issues related to patentability, the courtesy of a telephone

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interview is requested, and the Examiner is invited to call to arrange a mutually convenient time.

It is believed that this submission does not require a payment of any fees; however, if this is incorrect please charge any additional fee to Deposit Account No. 07-1969.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Heeja Yoo-Warren', written in a cursive style.

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